


# Exhibit 5

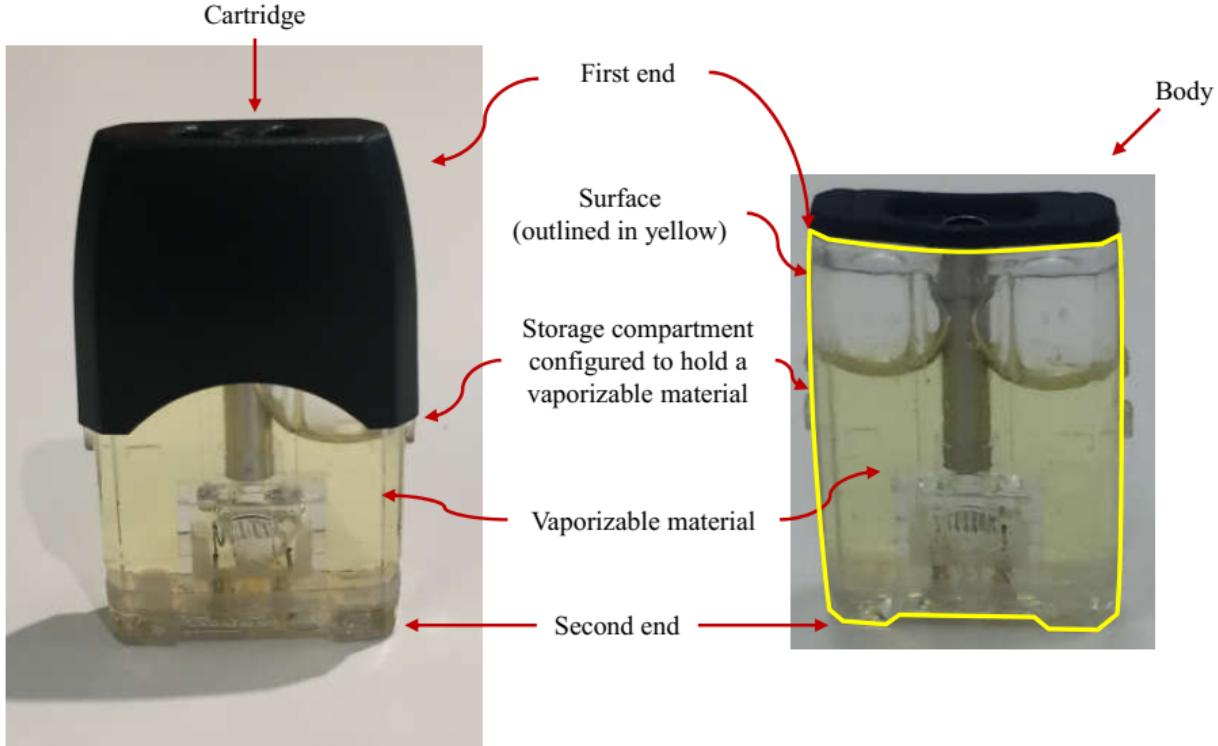
## Exhibit 5

**Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme**

| Claim 1 (Independent)  |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| 1[p]. A cartridge for generating an aerosol, the cartridge comprising: | <p>The Flair Xtreme has a cartridge for generating an aerosol, as pictured below.</p> <div data-bbox="651 487 1228 1193">  <p>Cartridge →</p> </div> |

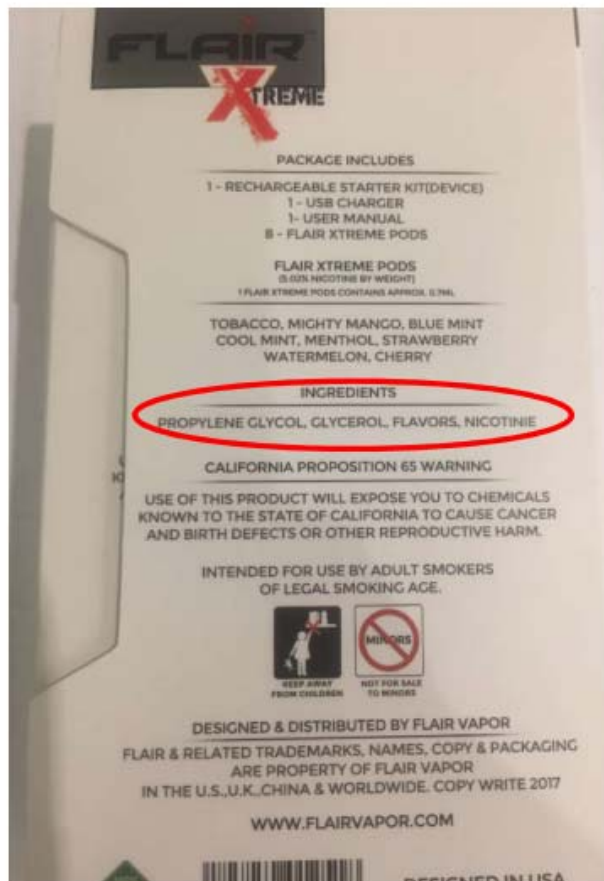
## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 1 (Independent)   |  |
|---|--|
| Claim Language  | Corresponding Elements of Flair Xtreme   |
| 1[a] a body including a storage compartment configured to hold a vaporizable material, the body having a first end and a second end opposite the first end, the body comprising a surface between the first end and the second end; | <p>As pictured below, the cartridge has a body that includes a storage compartment configured to hold a vaporizable material (e.g., a liquid nicotine solution). The body has a first end and a second end opposite the first end with a surface between the first end and the second end.</p>  |

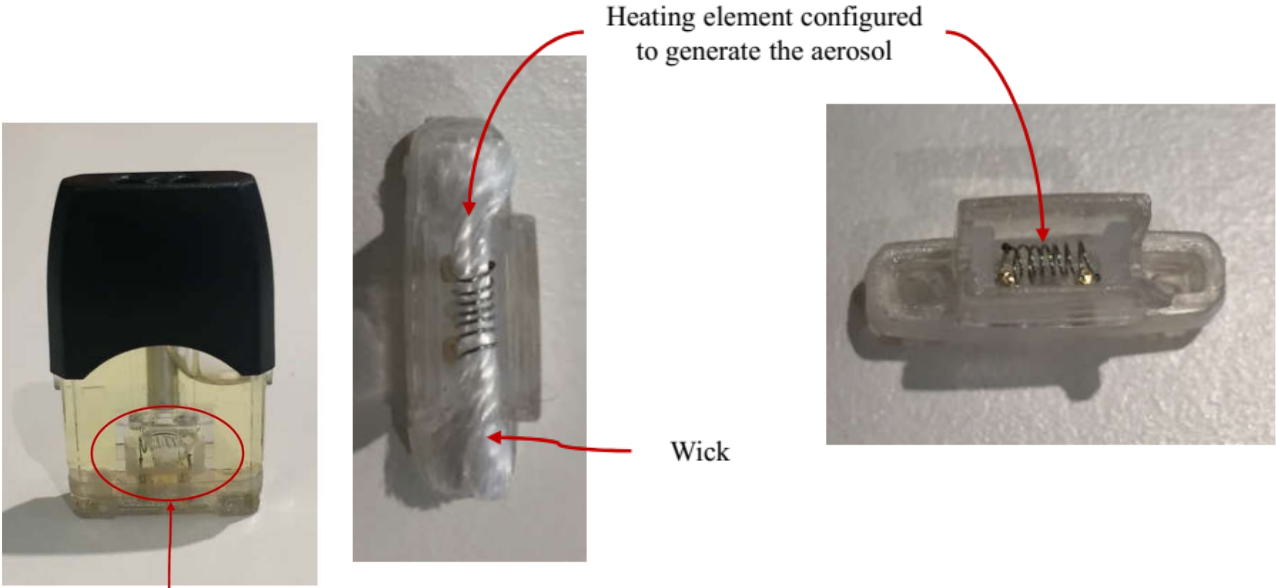
## Exhibit 5

Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 1 (Independent) |   |
|-----------------------|---|
| Claim Language        | Corresponding Elements of Flair Xtreme  |
|                       |  <p>While the ingredients list recites “nicotinie” [<i>sic</i>] a person of ordinary skill in the art in light of the surrounding context and the Flair Xtreme product would have understood that the listed ingredient “nicotinie” [<i>sic</i>] refers to “nicotine.”</p> |

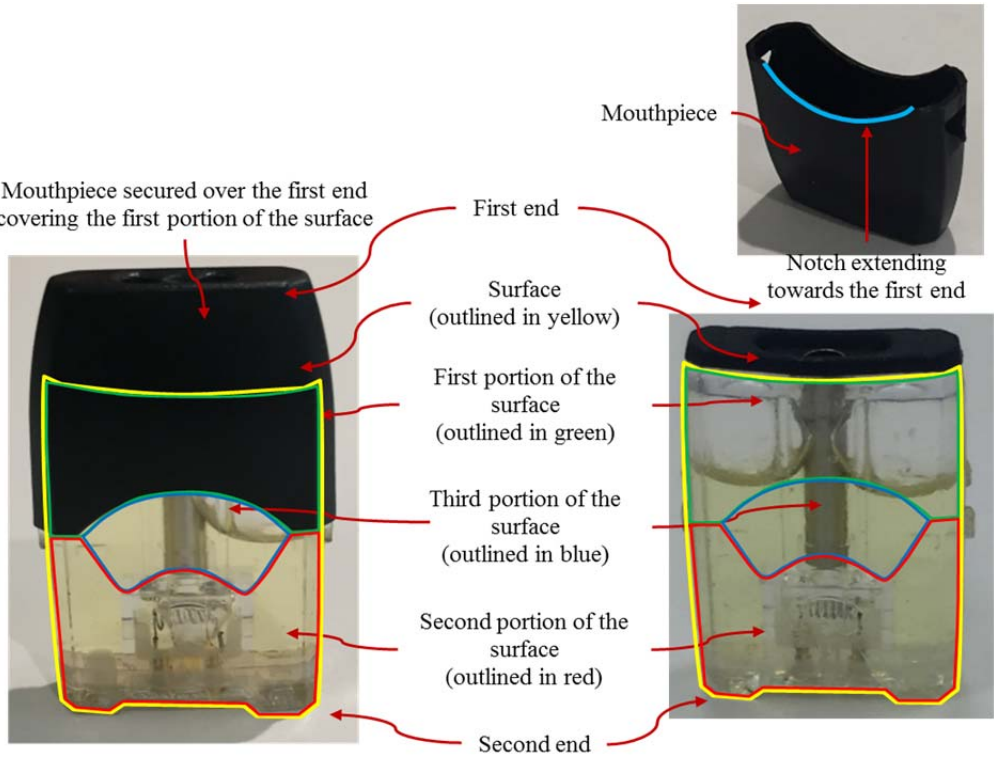
## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 1 (Independent)   |  |
|---|--|
| Claim Language  | Corresponding Elements of Flair Xtreme   |
| 1[b] a heating element configured to generate the aerosol, the generating of the aerosol comprising heating the vaporizable material; and | <p><b>The cartridge has a heating element configured to generate the aerosol by heating the vaporizable material.</b></p> <div style="text-align: center;">  <p style="position: absolute; top: 318px; left: 595px;">Heating element configured to generate the aerosol</p> <p style="position: absolute; top: 585px; left: 625px;">Wick</p> </div> <p><b>The generating of the aerosol is accomplished by heating the vaporizable material absorbed by the wick.</b></p> |

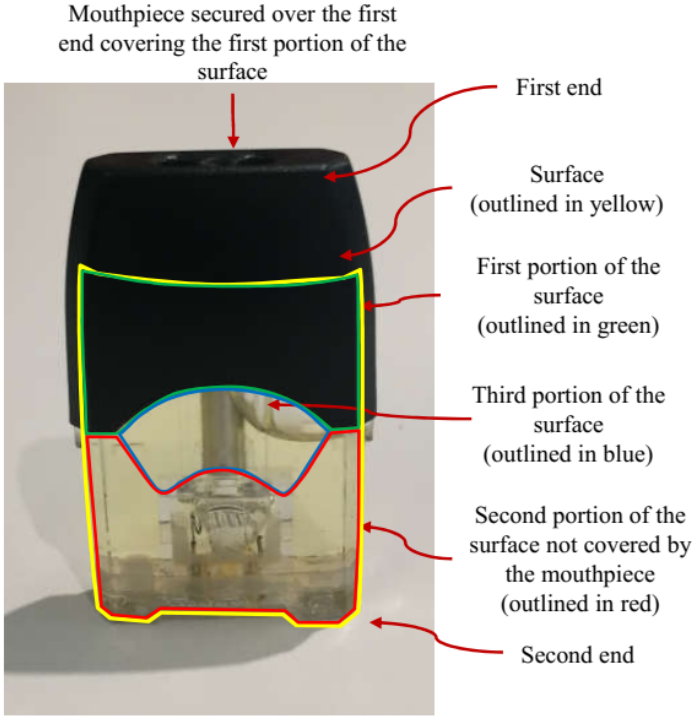
## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 1 (Independent)  |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| <p>1[c] a mouthpiece secured over the first end, the mouthpiece having a notch extending away from the second end towards the first end, the mouthpiece covering a first portion of the surface,</p> | <p><b>The cartridge has a mouthpiece secured over the first end. As shown below, the mouthpiece has a notch extending away from the second end towards the first end. The mouthpiece also covers a first portion of the surface.</b></p>  <p>Mouthpiece secured over the first end covering the first portion of the surface</p> <p>First end</p> <p>Surface (outlined in yellow)</p> <p>First portion of the surface (outlined in green)</p> <p>Third portion of the surface (outlined in blue)</p> <p>Second portion of the surface (outlined in red)</p> <p>Second end</p> <p>Mouthpiece</p> <p>Notch extending towards the first end</p> |

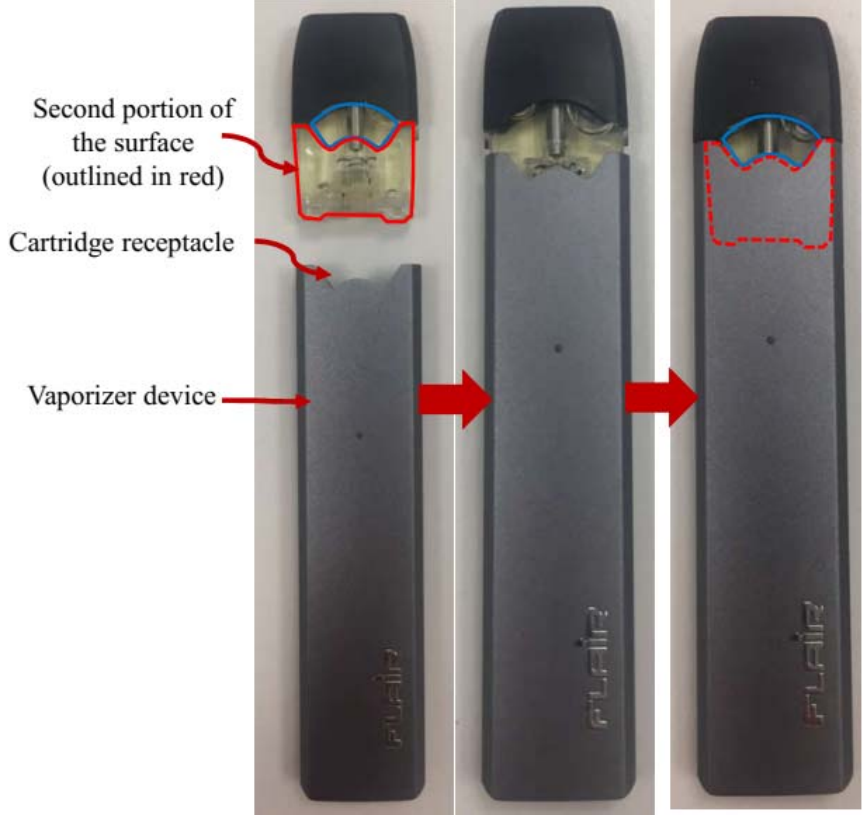
## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 1 (Independent)   |  |
|---|--|
| Claim Language  | Corresponding Elements of Flair Xtreme   |
| 1[d] the mouthpiece not covering a second portion of the surface, the second portion of the surface configured for insertion into a cartridge receptacle of a vaporizer device, | <p><b>The mouthpiece does not cover a second portion of the surface, as shown below.</b></p>  <p>Mouthpiece secured over the first end covering the first portion of the surface</p> <p>First end</p> <p>Surface (outlined in yellow)</p> <p>First portion of the surface (outlined in green)</p> <p>Third portion of the surface (outlined in blue)</p> <p>Second portion of the surface not covered by the mouthpiece (outlined in red)</p> <p>Second end</p> |

## Exhibit 5

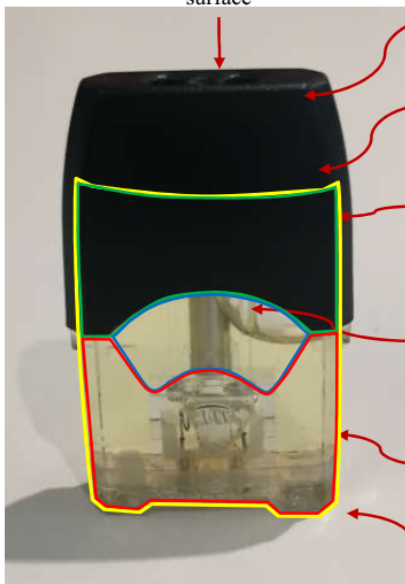
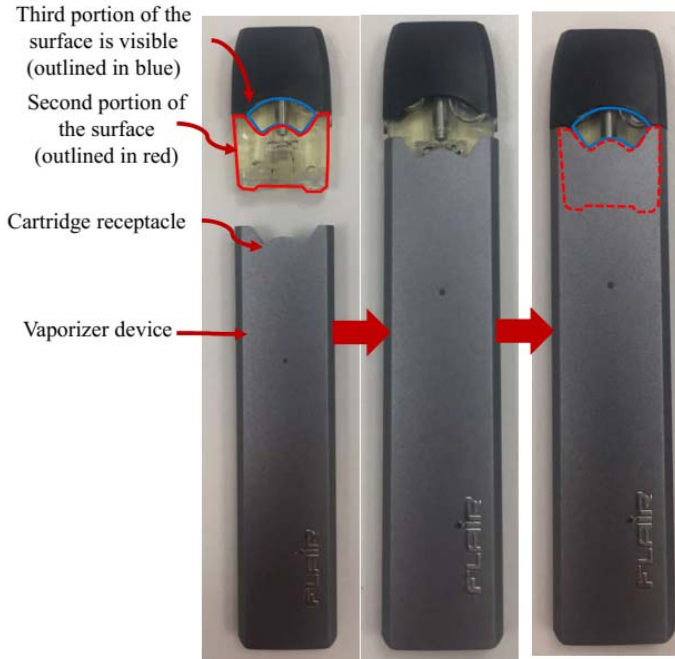
**Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme**

| Claim 1 (Independent) |  |
|-----------------------|--|
| Claim Language        | Corresponding Elements of Flair Xtreme   |
|                       | <p>The second portion of the surface is configured for insertion into a cartridge receptacle of a vaporizer device, as shown below.</p>  <p>Second portion of the surface (outlined in red)</p> <p>Cartridge receptacle</p> <p>Vaporizer device</p> |



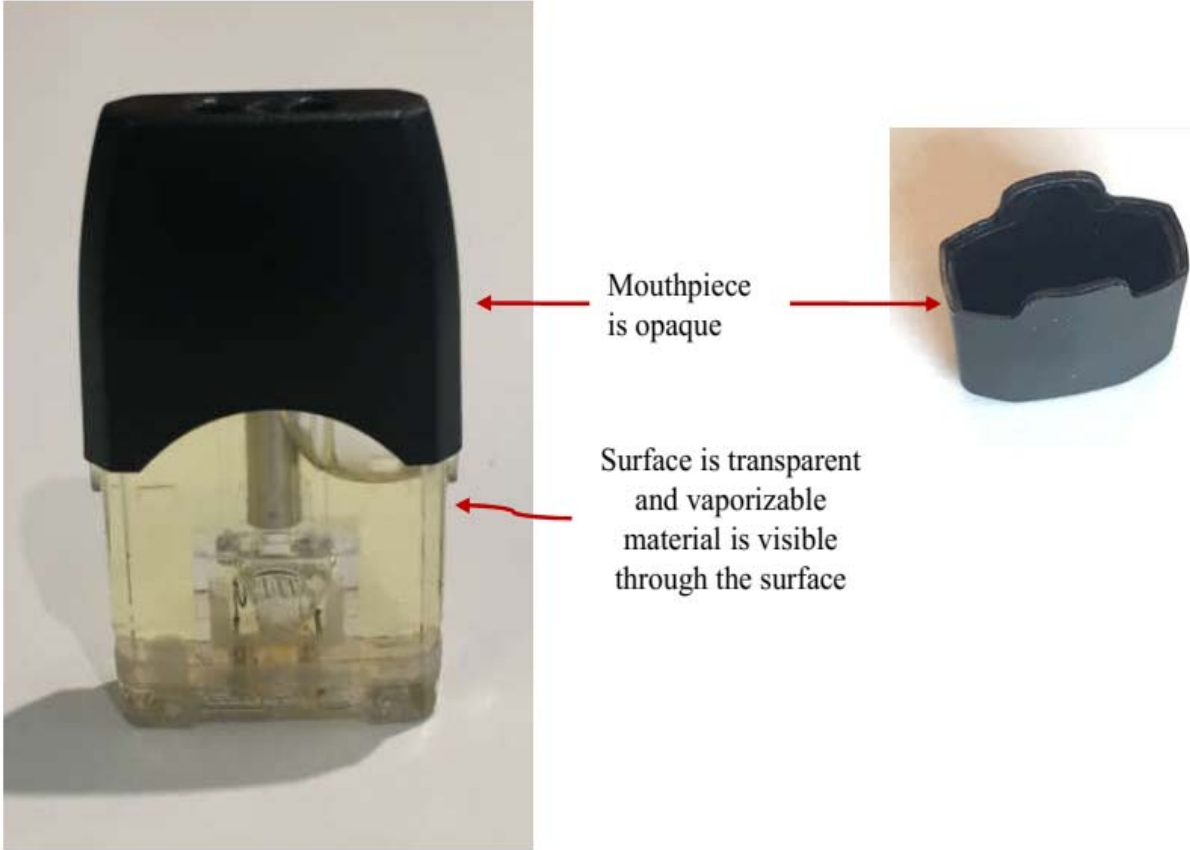
## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 1 (Independent)  |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| <p>1[e] the mouthpiece not covering a third portion of the surface, the third portion of the surface comprising an area between the notch and the second end, the third portion of the surface being visible when the second portion of the surface is inserted into the cartridge receptacle.</p> | <p><b>The mouthpiece does not cover a third portion of the surface, where the third portion is an area between the notch and the second end. The third portion of the surface is visible when the second portion of the surface is inserted into the cartridge.</b></p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>Mouthpiece secured over the first end covering the first portion of the surface</p> <p>First end</p> <p>Surface (outlined in yellow)</p> <p>First portion of the surface (outlined in green)</p> <p>Third portion of the surface not covered by the mouthpiece (outlined in blue)</p> <p>Second portion of the surface not covered by the mouthpiece (outlined in red)</p> <p>Second end</p> </div> <div style="text-align: center;">  <p>Third portion of the surface is visible (outlined in blue)</p> <p>Second portion of the surface (outlined in red)</p> <p>Cartridge receptacle</p> <p>Vaporizer device</p> </div> </div> |


## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 2 (Dependent)   |  |
|---|--|
| Claim Language  | Corresponding Elements of Flair Xtreme   |
| 2. The cartridge of claim 1, wherein the mouthpiece is opaque, wherein the surface is transparent, and wherein the vaporizable material is visible through the surface. | <p><b>The mouthpiece is opaque and the surface is transparent, thus allowing the vaporizable material to be visible through the surface.</b></p>  <p>Mouthpiece is opaque</p> <p>Surface is transparent and vaporizable material is visible through the surface</p> |

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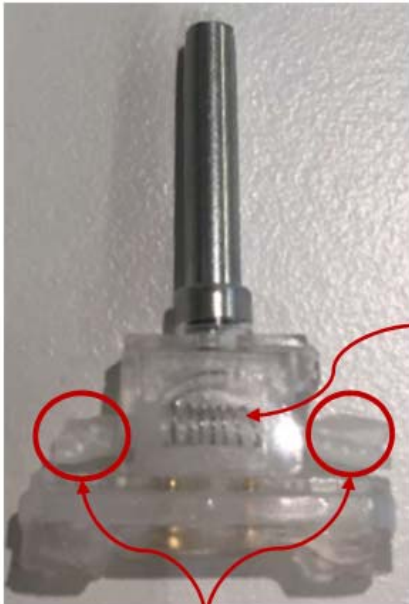

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| <b>Claim 4 (Dependent)</b>  |   |
|---|---|
| <b>Claim Language</b>   | <b>Corresponding Elements of Flair Xtreme</b>   |
| 4. The cartridge of claim 1, wherein the heating element is disposed proximate to the second end of the body. | <p><b>As shown below, the heating element is disposed proximate to the second end of the body.</b></p>  <p>Heating element proximate to the second end</p> |

#### Claim 5 (Dependent)

## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim Language   | Corresponding Elements of Flair Xtreme   |
|--|--|
| <p>5. The cartridge of claim 1, further comprising a wicking material configured to contact the vaporizable material, wherein the heating element is disposed proximate to the wicking material.</p> | <p><b>The cartridge has a wicking material that is configured to contact the vaporizable material and the heating element is disposed proximate to the wicking material.</b></p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  <p>Heating element proximate to the wicking material</p> <p>Wicking material</p> </div> <div style="text-align: center;">  <p>Wicking material contacting the vaporizable material</p> </div> </div> |

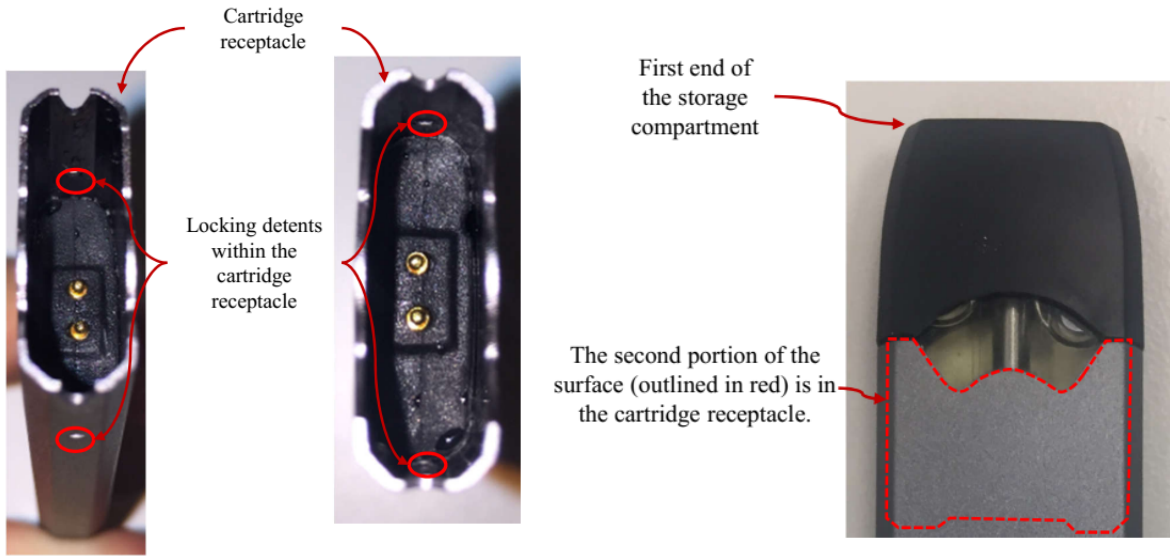
## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 7 (Dependent)  |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| 7. The cartridge of claim 1, wherein the second portion of the surface comprises a locking gap integral to the storage compartment, and wherein the locking gap is configured to mate with a locking detent within the cartridge receptacle, when the second portion of the surface is inserted into the cartridge receptacle. | <p><b>As shown below, the second portion of the surface has a locking gap integral to the storage compartment. When the second portion of the surface is inserted into the cartridge receptacle, the locking gap is configured to mate with a locking detent within the cartridge receptacle.</b></p> <p>The photographs illustrate the internal components of the cartridge. The main image on the left shows the storage compartment with a red outline indicating the second portion of the surface. Red arrows point to the first side marked by an 'X' and the locking gaps integral to the storage compartment. The two smaller images on the right provide detailed views of the locking gaps from the first side (marked by 'X') and the second side (marked by 'O').</p> |


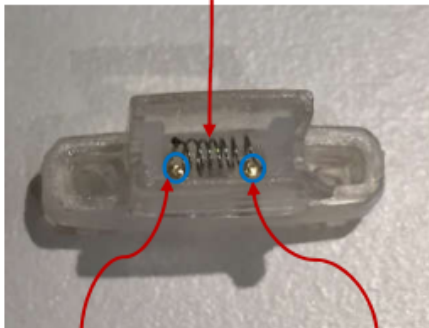


## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 7 (Dependent) |   |
|---------------------|---|
| Claim Language      | Corresponding Elements of Flair Xtreme  |
|                     |  <p>Cartridge receptacle</p> <p>Locking detents within the cartridge receptacle</p> <p>First end of the storage compartment</p> <p>The second portion of the surface (outlined in red) is in the cartridge receptacle.</p> <p><b>NOTE: The locking gap mates with a locking detent within the cartridge receptacle, when the second portion of the surface is inserted into the cartridge receptacle.</b></p> |

## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 8 (Dependent)  |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| <p>8. The cartridge of claim 1, wherein the heating element comprises a resistive heating coil, and wherein the cartridge further comprises:</p> <p style="padding-left: 20px;">a first heater contact electrically coupled to the resistive heating coil, the first heater contact configured to mate with either of a first receptacle contact within the cartridge receptacle or a second receptacle contact within the cartridge receptacle, when the second portion of the surface is inserted into the cartridge receptacle; and</p> <p style="padding-left: 20px;">a second heater contact electrically coupled to the resistive heating coil, the second heater contact configured to mate with either of the second receptacle contact or the first receptacle contact, when the second portion of the surface is inserted into the cartridge receptacle.</p> | <p><b>As shown below, the heating element comprises a resistive heating coil. The cartridge has a first heater contact and a second heater contact that are both electrically coupled to the resistive heating coil.</b></p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p style="color: red; font-size: 2em;">↗</p> <p>Heating element comprises a resistive heating coil</p> <p style="color: red; font-size: 2em;">↘</p> <p>Wick</p> </div> <div style="text-align: center;">  <p>Heating element comprises a resistive heating coil</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;">  <p>Second heater contact electrically coupled to the resistive heating coil (outlined in blue)</p> </div> <div style="text-align: center;">  <p>First heater contact electrically coupled to the resistive heating coil (outlined in blue)</p> </div> </div> </div> </div> |



## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

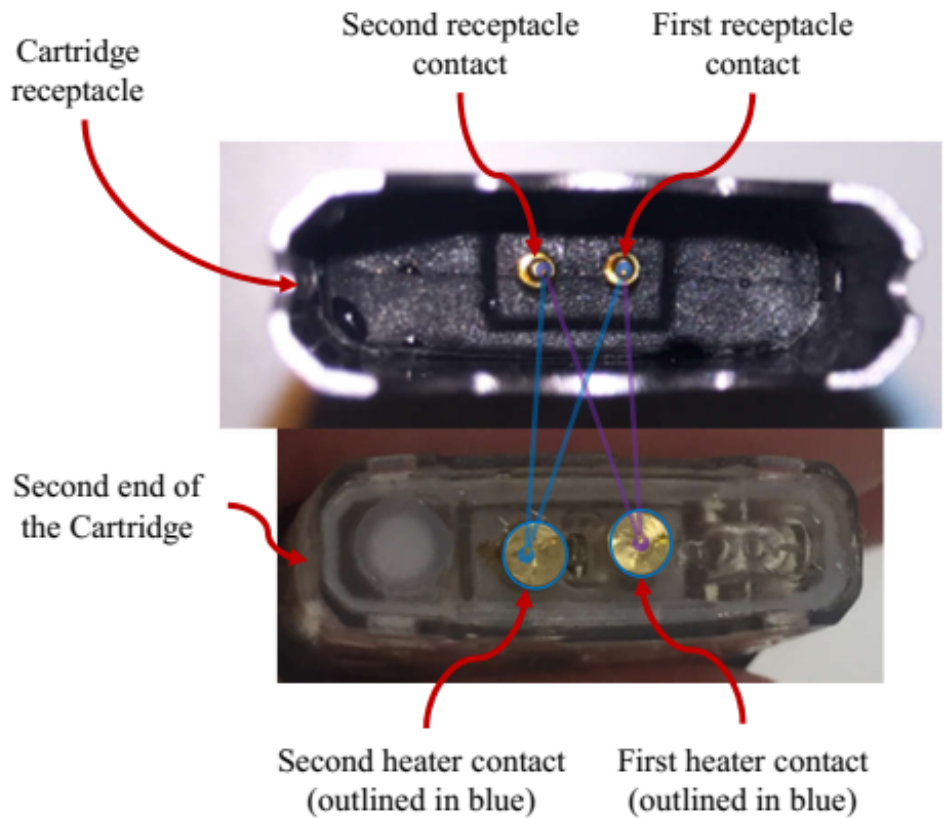

| Claim 8 (Dependent) |  |
|---------------------|--|
| Claim Language      | Corresponding Elements of Flair Xtreme   |
|                     |  <p>The first heater contact is configured to mate with either a first receptacle contact within the cartridge receptacle or a second receptacle contact within the cartridge receptacle (shown in blue). Similarly, the second heater contact is configured to mate with either the second receptacle or the first receptacle contact (shown in purple).</p> |




Exhibit 5

Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 10 (Dependent)   |  |
|--|--|
| Claim Language   | Corresponding Elements of Flair Xtreme   |
| 10. The cartridge of claim 1, wherein the body is non-cylindrical. | <p><b>The body is non-cylindrical.</b></p> <p>Non-cylindrical body</p>  |


## Exhibit 5

**Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme**

| Claim 12 (Independent)   |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| 12[p]. An apparatus for generating an aerosol, the apparatus comprising: | <p><b>The Flair system is an apparatus for generating an aerosol.</b></p> <div style="text-align: center;">  <p style="position: absolute; left: 308px; top: 485px;">Apparatus</p> </div> |

## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 12 (Independent)  |   |
|---|---|
| Claim Language  | Corresponding Elements of Flair Xtreme  |
| 12[a] a vaporizer device comprising a cartridge receptacle; and   | <p><b>The apparatus has a vaporizer device that has a cartridge receptacle.</b></p>  |
| 12[b] a cartridge comprising:<br>a body including a storage compartment configured to hold a vaporizable material, the body having a first end and a second end opposite the first end, the body comprising a surface between the | <b>See discussion above of claim limitations 1[P] and 1[A].</b>   |

## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 12 (Independent)   |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme                |
| first end and the second end;  |   |
| 12[c] a heating element configured to generate the aerosol, the generating of the aerosol comprising heating the vaporizable material; and   | <i>See discussion above of claim limitation 1[B].</i> |
| 12[d] a mouthpiece secured over the first end, the mouthpiece covering a first portion of the surface,   | <i>See discussion above of claim limitation 1[C].</i> |
| 12[e] the mouthpiece not covering a second portion of the surface, the second portion of the surface configured for insertion into the cartridge receptacle, the mouthpiece not covering a third portion of the surface, | <i>See discussion above of claim limitation 1[D].</i> |
| 12[f] the third portion of the surface being visible when the second portion of the surface is inserted into the cartridge receptacle.   | <i>See discussion above of claim limitation 1[E].</i> |

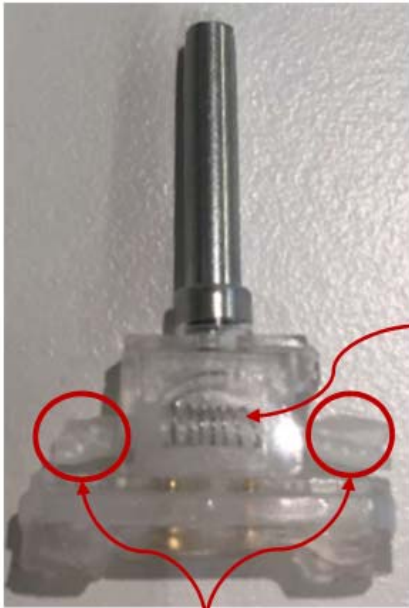

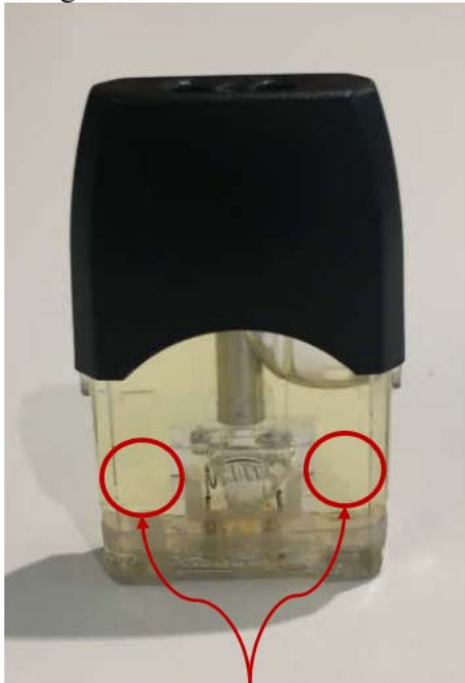
## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 13 (Dependent)  |   |
|---|---|
| Claim Language  | Corresponding Elements of Flair Xtreme  |
| 13. The apparatus of claim 12, wherein the mouthpiece is opaque, wherein the surface is transparent, and wherein the vaporizable material is visible through the surface. | <i>See discussion above of claim 2.</i> |

## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 16 (Dependent)   |  |
|--|--|
| Claim Language   | Corresponding Elements of Flair Xtreme   |
| <p>16. The apparatus of claim 12, wherein the cartridge further comprises a wicking material configured to contact the vaporizable material, wherein the heating element is disposed proximate to the wicking material, and wherein the wicking material comprises at least one of: a silica material, a cotton material, a ceramic material, a hemp material, and a stainless steel material.</p> | <p>See discussion of claim 5 and figure below. On information and belief, the wicking material comprises at least one of: a silica material, a cotton material, a ceramic material, a hemp material, and a stainless steel material.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>Wicking material</p> </div> <div style="text-align: center;">  <p>Heating element proximate to the wicking material</p> </div> <div style="text-align: center;">  <p>Wicking material contacting the vaporizable material</p> </div> </div> |

## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 17 (Dependent)   |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| 17. The apparatus of claim 12, wherein the second portion of the surface comprises a locking gap integral to the storage compartment, and wherein the locking gap is configured to mate with a locking detent within the cartridge receptacle, when the second portion of the surface is inserted into the cartridge receptacle. | <i>See discussion above of claim 7.</i> |

## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 20 (Dependent)   |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme  |
| 20. The cartridge of claim 1, further comprising the vaporizable material within the storage compartment, wherein the vaporizable material comprises a nicotine formulation. | <i>See</i> discussion above regarding claim element 1[A], which shows the vaporizable material in the cartridge and shows nicotine listed as an ingredient. |



## Exhibit 5

### Representative Claim Chart of Infringement of claims 1, 2, 4, 5, 7, 8, 10, 12, 13, 16, 17, 20, 21 in U.S. Patent No. 10,070,669 by Flair Xtreme

| Claim 21 (Dependent)   |   |
|--|---|
| Claim Language   | Corresponding Elements of Flair Xtreme                    |
| 21. The apparatus of claim 12, wherein the cartridge further comprises the vaporizable material within the storage compartment, and wherein the vaporizable material comprises a nicotine formulation. | <i>See</i> discussion above regarding dependent claim 20. |